

**City of West Linn**  
**PRE-APPLICATION CONFERENCE MEETING**  
**Notes**

**April 5, 2018**

**CORRECTED 5-24-18**

**SUBJECT:** Proposed construction of one single family home on each of two lots of record within a Water Resource Area and Habitat Conservation Area at 1475 and 1485 Holly Street

**FILE:** PA-18-09

**ATTENDEES:** Applicant: Tom Stubbs  
Staff: Peter Spir, Associate Planner

*The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.*

**Site Information**

**Site Address:** 1485 and 1475 Holly Street (22E30DB tax lots 2103 and 2105)  
**Area:** 10,752 and 11,162 square feet respectively  
**Neighborhood:** Bolton Neighborhood Association  
**Comp. Plan:** Low density residential  
**Zoning:** R-10 (Single family residential detached / 10,000 square foot minimum lot size)  
**Applicable code:** CDC Chapter 11: R-10  
CDC Chapter 28: Willamette and Tualatin River Protection (WRG/HCA)  
CDC Chapter 32: Water Resource Area (WRA)  
CDC Chapter 96: Required Improvements

**Project Details:** The applicant owns two lots of record and proposes to construct one single family home on each lot. "Cascade Spring Pond Creek" bisects the lots on a general west-east axis. There is also a wetland adjacent to the creek. The creek and wetland comprise the "water resource". Setbacks associated with these water resources cover both lots. A Habitat Conservation Area (HCA) also overlays the two lots. The hardship provisions of CDC 32.110 allow up to 5,000 square feet of disturbed area per lot to accommodate a house and associated improvements but require 1:1 on-site mitigation and revegetation. Under the hardship provisions, the minimum distance from the house and associated improvements to the water resource (wetland edge, etc.) is 15 feet. The 15 feet will be measured uphill from the toe of the slope. (Alternately, the applicant may provide a wetland delineation.) The applicant should place the home as close to Holly Street as possible to maximize setback from the water resource. Reduced front and side setbacks may be reduced up to 50 percent per Chapter 32.110(F). Additional setback reduction is possible through a Class I or II Variance per CDC Chapter 75. Although the garage may be three feet from the front property line per CDC 41.010, the six foot utility easement along the front property line means that six feet is the closest the garage can be built to the front property line. (Please note the 18 foot wide easement along the west property line of parcel 1 and the six foot easements along all other property lines.)

**Engineering Division Comments:** Contact Erich Lais at [elais@westlinnoregon.com](mailto:elais@westlinnoregon.com) or 503-722-3434 for engineering requirements which may include right of way improvements (e.g. local constrained street design, curb, storm catch basin, sidewalk, etc.) per CDC Chapter 96.010 (A) (1).

Contact Ty Darby from Tualatin Valley Fire and Rescue (TVF&R) at [ty.darby@tvfr.com](mailto:ty.darby@tvfr.com) or 503-259-1409 for their requirements.

**Process:** This land use application will require response to the submittal requirements and approval criteria for the WRA (Chapter 32), Willamette and Tualatin River Protection (WRG) (Chapter 28) permits. The CDC is online at <http://westlinnoregon.gov/cdc>.

A topographic survey prepared by a licensed engineer or surveyor is required with the wetland edge identified as well as the property boundaries. A wetland specialist may be required for the delineation of the water resource (wetland edge, etc.). A geotechnical report will be required for both lots to demonstrate that the sites and adjacent ROW (if required) can be built upon and that the property is, or can be made to be, stable. The geotechnical report's scope of work will also need to satisfy the Building Department's standards. Storm water treatment will be required. A significant tree inventory is needed.

N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived or increased per CDC 99.035. Waivers may also be subsequently overruled by the decision making body.

Submit the application to the Planning Department with an application form signed by the property owner(s). The WRA deposit fee is **\$2,850**. The WRG permit has a deposit fee of \$1,050. (Class I and II Variances cost \$825 and \$2,900 respectively. A Class II Variance requires a public hearing with the Planning Commission.)

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 followed by the Planning Manager's decision. (There is no public hearing.) Appeals of the Planning Manager's decision are heard by City Council and subsequently by the Land Use Board of Appeals.

Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. ***Typical land use applications can take 6-10 months from beginning to end.***

**DISCLAIMER:** This summary discussion covers issues identified to date. It does not imply that these are the only issues. **These notes are not minutes.** The burden of proof is on the applicant to demonstrate that all approval criteria have been met. **These notes do not constitute an endorsement of the proposed application or provide any assurance of potential outcomes.** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. **Any changes to the CDC standards between the date of this pre-app and the date of submittal of an application may require a different design or submittal.**